

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

UNITED STATES OF AMERICA)
)
v.) No. 3:04-CR-146
)
MAURICE BLACK)

ORDER

On September 12, 2005, the Honorable H. Bruce Guyton, United States Magistrate Judge, filed a 10-page Report and Recommendation (R&R) [Doc. 49] in which he recommended that defendant's second motion to suppress evidence [Doc. 38] be denied. This matter is presently before the court on defendant's timely objections to the R&R. Defendant objects to the magistrate judge's recommendation that his second motion to suppress evidence be denied [see Doc. 53].

As required by 28 U.S.C. § 636(b)(1), the court has now undertaken a *de novo* review of those portions of the R&R to which defendant objects. After doing so, the court readily concludes that Judge Guyton has thoroughly and correctly analyzed the legal issues presented in defendant's second motion to suppress. Thus, any further comment by the court is unnecessary and would be repetitive. In sum, the court finds that the officers gave defendant his *Miranda* warnings before the interview on September 17, 2004; that the defendant agreed to talk with the agents after being advised of his rights; and that

defendant's statements were voluntarily given, based upon the totality of the surrounding circumstances.

Accordingly, defendant's objections [Doc. 53] are hereby **OVERRULED** in their entirety, whereby the R&R is **ACCEPTED IN WHOLE**. Thus, defendant's second motion to suppress evidence [Doc. 38] is **DENIED**.

IT IS SO ORDERED.

ENTER:

s/ Thomas W. Phillips
United States District Judge